(2) (1) C.F. 100/-

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.NO. 1720 /2003.

PETITIONER Afsar Hussain, aged about 52 years, son of Dr. Yavar Hussain, "Yavar", Personal Assistant to Forest Conservator, P.C.F., Mainpura, Distt. Raipur (Chhattisgarh).

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through : The Secretary, department of Forest, D.K.S. Bhawan, Secretariat, Raipur, (C.G.)
2. Principal / Chief Conservator of Forest Office of the P.C.C.F., Jail Road, Raipur (C.G.).
3. Additional Principal / Chief Conservator (Administration / Co-ordinater – Gazetted) Office of the P.C.C.F., Jail Road, Raipur (Chhattisgarh).
4. Chief Conservator of Forest (Non-Gazetted) Aranya Bhawan, Raipur (Chhattisgarh).

P. R. No. 1565 Presented by Shri S. Mishra dated 07/8/03

RECEIVED COPY. 7/8 CLERK TO A.G. BILASPUR

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(26)

आदेश पत्रक

मामला क्रमांक W.P.No.1720/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	15.07.2003 Smt. Fouzia Mirza, counsel for the petitioner. Shri Sanjay S. Agrawal, P.L. for the State. Heard. Though this matter is listed for admission, considering the question involved and on the prayer of learned counsel for the petitioner and with the consent of the State Counsel, the matter is taken up for final disposal. The grievance of the petitioner is to the order dated 6.5.2003 whereby they have been reverted from the post of Personal Assistant to Stenographer. The case of the petitioner is that vide order dated 05.8.2002 the petitioner who was holding the post of Stenographer was promoted to the post of Personal Assistant and started discharging his duties as such. However, after lapse of about a year, vide order dated 6.5.2003, he has been reverted. The order is assailed inter alia on the ground that he could not have been reverted without giving him an opportunity of hearing. It is also alleged that though a representation, copy	

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(22)

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — २ —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

whereof is Annexure P/3, has been filed, no action has been taken. Accordingly, alternative prayer is for a direction to the concerned respondent to consider and dispose of the representation of the petitioners' on merits.

Accepting the prayer, the writ petition is disposed of by directing respondent No.1 to consider the representation of the petitioner within a period of six weeks from the date of communication/receipt of this order. Till then, status quo with respect to petitioners' posting as existing today be maintained.

Consequently, M.W.P.No.1550/2003 for interim relief and I.A.No.5093/2003 for urgent hearing also stand disposed of.

Sd/-
P.C. Naik
Judge

Anjani

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